

REMARKS

Claims 1-5, 9, 10, 12, 14, 16, 17, 19, 21, 23-25, 28, 30, and 33-35 are pending in the application. Independent claims 1, 9, and 33 have been amended to recite that a force is applied "in the direction of separating said drive unit and said driven unit from each other while a bottom of said vessel is pressed in a direction away from said drive unit, and said bottom of said vessel is pressed at a position opposite to a bottom of said driven unit." Claims 31, 32, 36, and 37 have been canceled without prejudice. The amendments are fully supported by the application as originally filed (see specification at page 14, lines 8-11; page 20, lines 6-8; and FIGS. 21-22).

As amended, independent claim 1 recites a disassembling method for disassembling a washing machine, including a release step of applying force in a direction of separating a drive unit from a driven unit, where "in the release step, the force is applied in the direction of separating said drive unit and said driven unit from each other while a bottom of said vessel is pressed in a direction away from said drive unit, and said bottom of said vessel is pressed at a position opposite to a bottom of said driven unit," as recited in independent claim 1.

Similarly, independent claims 9 and 33 each recite a disassembling apparatus including a separating means for applying force in a direction of separating a drive unit from a driven unit, where "said separating means applies the force in the direction of separating said drive unit and said driven unit from each other while a bottom of said vessel is pressed in a direction away from said drive unit, and said bottom of said vessel is pressed at a position opposite to a bottom of said driven unit," as claimed.

In other words, as amended, independent claims 1, 9, and 33 each recite that a bottom of the vessel is pressed at a position opposite to a bottom of the driven unit. Accordingly, the claimed invention can prevent a part of a water tub from being torn away from a body of the water tub, and can increase the amount of resin recovered from the water tub. *See, e.g.*, specification at pages 16-20 (Tables 1-3), and page 20, lines 4-8.

Claims 31, 32, 36, and 37 were rejected under 35 USC 102(b) as being anticipated by "AAPA (Applicant's Admitted Prior Art)." Claims 1-5, 9, and 33 were rejected under 35 USC 103(a) as being unpatentable over Japanese Publication 11-212471 to Yanase (hereinafter "the '471 publication"). Claims 10, 12, 14, 16, 19, 21, and 23 (and also claims 28, 30, and 34) were rejected under 35 USC 103(a) as being unpatentable over the '471 publication in view of Japanese Publication 11-255467. These rejections are respectfully traversed.

Regarding the rejection of claims 31, 32, 36, and 37, it is noted that claims 31, 32, 36, and 37 have been canceled without prejudice, thereby obviating the rejection.

Regarding the rejection of independent claims 1, 9, and 33 over the '471 publication, the '471 publication does not teach or suggest a disassembling method or a disassembling apparatus including at least the claimed "release step" or "separating means," respectively, in which a force is applied "in the direction of separating said drive unit and said driven unit from each other while a bottom of said vessel is pressed in a direction away from said drive unit, and said bottom of said vessel is pressed at a position opposite to a bottom of said driven unit," as claimed.

On page 3 of the Office Action of 09/01/2009, the abstract and FIGS. 9-11 of the '471 publication were cited as allegedly corresponding to the claimed washing machine.

Referring to the English-language abstract of the '471 publication, an assembly and a recycling device are provided so as to enable recycling "without expert knowledge." In particular, the assembly 1 includes recycling information 1a, which can be read by a reader 3 of the recycling device 2. Then, the assembly 1 is "automatically disjointed" based on the read information by a working robot 4.

Referring to FIGS. 9-11 of the '471 publication, it is shown that screw threads are loosened to remove various parts. For example, as described in paragraph 0050 of the English-language machine translation of the '471 publication, screws 73 are loosened to separate a motor 67 from an outer tub 65.

However, the '471 publication does not teach or suggest a release step of applying force in a direction of separating a drive unit from a driven unit (independent claim 1), or a separating means for applying force in a direction of separating the drive unit from the driven unit (independent claims 9 and 33).

Further, the '471 publication does not teach or suggest that a force is applied "in the direction of separating said drive unit and said driven unit from each other while a bottom of said vessel is pressed in a direction away from said drive unit, and said bottom of said vessel is pressed at a position opposite to a bottom of said driven unit," as claimed.

On page 3 of the Office Action of 09/01/2009, it was admitted that the '471 publication does not teach or suggest a "step of applying force, along the axial direction of the coupling rod, in the direction of separating the drive unit and the driven unit from each other."

However, according to the Examiner, such a step is a "well known method in the art, and [it] would have been obvious to one of ordinary skill in the art at the time [] the invention was made to employ this known step on '471 so as to break the connection effectively."

In response to the Examiner's assertion of "Official Notice" that the above step allegedly is "well known," MPEP 2144.03 provides appropriate guidelines for taking "Official Notice," and states the following:

It would not be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known. For example, assertions of technical facts in the areas of esoteric technology or specific knowledge of the prior art must always be supported by citation to some reference work recognized as standard in the pertinent art. *In re Ahlert*, 424 F.2d at 1091, 165 USPQ at 420-21.

The Examiner is respectfully requested to provide an evidentiary basis, including citation of one or more reference(s), that would support the conclusion that the claimed "release step" or "separating means" is well known to those of ordinary skill in the art.

As stated in MPEP 2144.03, the Examiner is required to make specific factual findings to support the finding of "well known" subject matter: "If such notice is taken, the basis for such reasoning must be set forth explicitly. The examiner must provide specific factual findings predicated on sound technical and scientific reasoning to support his or her conclusion of common knowledge."

Regarding Applicants' traversal of the Examiner's finding of "well known" subject matter, MPEP 2144.03 states: "To adequately traverse such a finding, an applicant must specifically point out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art."

The Applicants' claimed "release step" (of a disassembling method) and "separating means" (of a disassembling apparatus) specifically address and overcome problems encountered in the prior art, where the invention can "recover resin from the washing machine at a high recovery ratio" (see page 6, lines 1-3 of the specification).

Deficiencies in prior art disassembly methods/apparatuses are described in the Background section of the Applicants' specification, for example, on page 4, line 16 to page 5, line 28. These deficiencies include, for example, the requirement of a special tool for removing a nut with which a dehydration tub is secured, and possible deterioration in recovery yield in the case where a mechanical cutting method is used. The Applicants' claimed disassembly method and apparatus can overcome these deficiencies using a release step and separating means, as described, for example, on page 21, line 21 to page 26, line 19 of the specification, and recited in the currently pending claims. Therefore, Applicants have adequately traversed the Examiner's finding of "well known" subject matter. In particular, Applicants have "specifically point out the supposed errors in the examiner's action," as stated in MPEP 2144.03.

For at least the reasons discussed above, the '471 publication does not anticipate or otherwise render obvious the Applicants' claimed invention. Therefore, independent claims 1, 9, and 33 and their respective dependent claims are patentable over the '471 publication.

Regarding claims 17, 24, 25, and 35, these claims should be considered allowable, since they were not rejected over the '471 publication or any other reference(s).

It is believed that the claims are in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

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